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19 JWC Environmental

20 **UNITED STATES DISTRICT COURT**  
21 **NORTHERN DISTRICT OF CALIFORNIA**  
22 **SAN FRANCISCO DIVISION**

23 JWC ENVIRONMENTAL, ) Case No.: 3:06-cv-04864 MMC  
24 Plaintiff, )  
25 v. ) STIPULATION AND ORDER  
26 FRANKLIN MILLER, INC.; J.B.I. WATER ) CONTINUING CASE MANAGEMENT  
27 & WASTEWATER EQUIPMENT, INC., ) CONFERENCE  
28 Defendants. ) DATE: December 8, 2006  
 ) TIME: 10:30 a.m.  
 ) DEPT.: 7  
 ) JUDGE: Honorable Maxine M. Chesney  
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23 FRANKLIN MILLER, et al. )  
24 Counterclaimants, )  
25 v. )  
26 JWC ENVIRONMENTAL, )  
27 Counter-defendant. )

The parties to this action, JWC Environmental, Inc., Franklin Miller, Inc. and J.B.I. Water & Wastewater Equipment, Inc., have been actively involved in settlement negotiations, are making progress toward a potential settlement of their dispute, and are hopeful that a settlement can be reached within the next 45 to 60 days. Accordingly, in an effort to conserve the resources of the parties and the Court, the parties, through undersigned counsel, hereby stipulate that the Case Management Conference scheduled for December 8, 2006 at 10:30 a.m. be continued to February 2, 2007 at 10:30 a.m. The initial disclosures, Case Management Statement and Rule 26(f) Report will accordingly be due on January 26, 2007.

Dated: November 22, 2006 SUGHRUE MION, PLLC

SUGHRUE MION, PLLC

s/ John B. Scherling

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JWC Environmental

Dated: November 21, 2006

## GREENBERG TRAURIG, LLP

s/Joseph Agostino

RALPH W. SELITTO, JR.

JOSEPH AGOSTINO

## Attorneys for Defendants/Counterclaimants

## Franklin Miller, Inc. and J.B.I. Water & Wastewater Equipment, Inc.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 22, 2006

Maxine M. Chesney  
MAXINE M. CHESNEY  
United States District Judge